

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 35

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized in Section 8 , Marketing and Redistribution, hereof which are transferred to the various agencies, as authorized in Section 36 hereof, are to be used for the maintenance and general operation of the benefiting agency and shall only be expended under the provisions cited in Arkansas Code 19-4-522, the same being the General Accounting and Budgetary Procedures Law of Arkansas. Provided, however, no appropriation authorized herein shall be expended for Conference and Travel Expenses or Professional Fees and Services. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

TRANSFER PROVISION. The Department of Finance and Administration shall, upon transfer to the agencies or institutions fund or fund account of the proceeds derived from disposal of property by the Marketing and Redistribution division for the benefit of various agencies, transfer appropriation, as provided in Section 8, Marketing and Redistribution, hereof in such amount as funds are deposited into the Property Sales Holding Fund and transferred therefrom for the benefit of such agencies.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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APPROPRIATION TRANSFER PROCEDURES. In the event that sufficient appropriation has not been provided for the payment of Career Recognition Payments for any state agency or institution due to the enactment of this Act or any other act approved by the Eighty-Fourth~~Fourth~~^{Fifth} General Assembly which raises the compensation level of state employees, the agency or institution may request a transfer from the appropriation provided in Section 31, Annual Career Service Recognition Payments, herein from the Chief Fiscal Officer of the State. Such request shall clearly state the amount required, the fund or fund account from which the employees are currently being paid, and such other information as may be required by the Chief Fiscal Officer of the State that he deems necessary to make a decision regarding the request. Upon the approval of the Chief Fiscal Officer of the State or upon processing the request for elected Constitutional Officers and their employees by the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall then be added to the proper account on the books of the Department of Finance and Administration and the State Auditor payable from the fund or fund account from which the employees of the agency or institution are authorized to be paid by law. Such appropriation transfer shall be limited to Regular Salaries or Personal Services Matching or both.

The provisions of this section shall be in effect only from July 1, 2003 ~~2005~~ through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

FUNDING PROVISION. Funding for the appropriation transfers authorized by Section 31, Annual Career Service Recognition Payments, of this Act, or for any part thereof, for those state agencies which are supported in whole or in part from general revenues, shall, if required, be provided by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as determined by the Chief Fiscal Officer of the State. The State Agencies shall, in addition to the funds provided in this Act for Annual Career Service Recognition Payments from the Merit Adjustment Fund, make available any funding generated from agency salary savings for such purposes from the funds or fund accounts as provided by law. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

TRANSFER PROCEDURES - MATCHING. In the event that there is not sufficient appropriation, from funds deposited in the State Treasury, provided for by the General Assembly for personal services matching for any state agency for the biennial period ending June 30, ~~2005~~ 2007, said agency shall request a transfer from appropriation provided for Personal Services Matching in Section 2 herein, from the Chief Fiscal Officer of the State, stating clearly the amounts required for each item. Upon approval of the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made and shall be established upon the books of the Department of Finance and Administration and the State Auditor. Provided further, if desired, that said appropriation shall be supplemental to those regularly appropriated for such purposes by the General Assembly for that agency. Provided, however, that in the event the amount of transfer requested exceeds One Thousand Dollars (\$1,000), the Chief Fiscal Officer of the State shall seek prior review by the Arkansas Legislative Council or Joint Budget Committee before said transfer shall be made. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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TRANSFER OF APPROPRIATION - ELECTED OFFICERS. If it is determined by any office of an elected Constitutional Officer, including the Bureau of Legislative Research, Division of Legislative Audit or the Judicial Department, that there is not sufficient appropriation for Regular Salaries to pay the maximum salaries which have been set by the General Assembly for the employees of such Office, the Director of the Office shall notify the Chief Fiscal Officer of the fact and the amount of appropriation which has been determined to be required. Upon receipt of such notification, and after seeking prior review by the Legislative Council or Joint Budget Committee, the Chief Fiscal Officer of the State shall transfer on his books the amount of appropriation required from the appropriation provided for Regular Salaries-Elected Officers in Section 2 hereof to the Fund or Fund Account from which the Office's employees are paid and shall notify the State Auditor to process such transfer upon his books of record. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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TRANSFER PROCEDURES - REGULAR SALARIES. In the event that there is not sufficient appropriation provided for by the General Assembly for payment of Regular Salaries for any state agency for the biennial period ending June 30, ~~2005~~ 2007, said agency may request a transfer from appropriations provided for Regular Salaries-State Employees in Section 2 herein, from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall then be established upon the books of the Department of Finance and Administration and the State Auditor. Provided further, that if desired, said appropriation shall be supplemental to those regularly appropriated for such purposes by the General Assembly for the agency. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

RESTRICTIONS. Nothing in this Act is to be construed as an authority to transfer a like amount of current general revenues to fund appropriations provided for in Section 2, Miscellaneous Transfers, of this Act.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

RESTRICTIONS. TRANSFER PROVISIONS. The Department of Finance and Administration shall transfer appropriation as provided in Item (05) Refund to Expenditures of Section 2, Miscellaneous Transfers, hereof in such amounts as funds are deposited into the State Treasury or financial institutions for proceeds received from insurance policies for casualty losses, overpayment of obligations, overpayment of salaries, over-allocation of federal assistance, maturity or redemption of investments, and subrogation payments received for workers' compensation claims paid, for the benefit of various state agencies. Provided, however, that the Chief Fiscal Officer of the State is hereby authorized to promulgate such rules, regulations, procedures, and guidelines as he or she may deem necessary and proper in order to carry out the provisions of this Act. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

TRANSFER PROCEDURES - OVERTIME. In the event that there is not sufficient appropriation provided for by the General Assembly for overtime compensation pursuant to Arkansas Code 19-4-1612 for any state agency for the biennial period ending June 30, ~~2005~~ 2007, said agency shall request a transfer from appropriations provided for Overtime in Section 2, Miscellaneous Transfers, herein, from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall be established upon the books of the Department of Finance and Administration and the State Auditor. Provided, further, that if desired, said appropriation shall be supplemental to those regularly appropriated for such purposes by the General Assembly for that agency.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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CLASSIFICATION AND USE OF APPROPRIATIONS. The appropriations authorized for Refund to Expenditures in Section 2, Miscellaneous Transfers, hereof which are transferred to the various agencies as authorized by Section 43 hereof are to be used for the same purposes and shall be expended under the same provisions as cited in Arkansas Code 19-4-501 through 19-4-525, the same being the General Accounting and Budgetary Procedures Law of Arkansas, or its successor. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

DISBURSING PROCEDURES. The Employment Security Department shall certify to the respective state agency at the end of each calendar quarter those unemployment compensation benefit payments made to former state employees who claimed and qualified for such benefits under the provisions of the Arkansas Employment Security Law. Upon satisfaction by the Chief Fiscal Officer of the State that the payments to individuals who had worked for the State of Arkansas were made in accordance with the provisions of the Arkansas Employment Security Law, he shall disburse funds from the appropriation in Section 7, Unemployment Compensation Claims, of this Act to reimburse the Employment Security Department for benefits paid in the previous calendar quarter.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

TRANSFER PROCEDURES. In the event that the appropriation is not provided by the General Assembly for Cash Fund expenditures for any state agency, pursuant to Arkansas Code 19-4-801 et. seq., said agency shall request a transfer of appropriation from the Chief Fiscal Officer of the State, stating clearly the amount required. Upon approval of the Chief Fiscal Officer of the State, and after seeking prior review by the Arkansas Legislative Council or Joint Budget Committee, said cash fund appropriations shall be established upon the books of the Department of Finance and Administration, provided further, that upon request of the state agency and with the approval of the Chief Fiscal Officer of the State, the requested appropriations may be established upon the books of the Department of Finance and Administration in compliance with the applicable classifications of appropriations as enumerated in Arkansas Code 19-4-521 through 19-4-525.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

MISCELLANEOUS FEDERAL PROGRAMS. The appropriations provided in Section 533, Various State Agencies – Cash, herein shall not be used to establish spending authority for new or unanticipated Federal Funds or Programs as defined by the provisions of the Miscellaneous Federal Grant Programs Act, Arkansas Code 19-7-501 et. seq., and the provisions of the General Accounting and Budgetary Procedures Act, Arkansas Code 19-4-101 et. seq., or its successor. Funds subject to the above mentioned acts shall be deposited in the State Treasury. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

SALARIES. No provisions as provided in Section 33, Various State Agencies – Cash, herein shall be interpreted as the authority to create or establish new positions in addition to the positions established in the agency's Biennial Appropriation Act. In addition, salaries paid from appropriations transferred herein shall be subject to the provision of the Regular Salaries Procedures and Restrictions Act. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

REPORTING. The Chief Fiscal Officer of the State shall file with the Arkansas Legislative Council or Joint Budget Committee a report summarizing all appropriations transferred and all additional positions authorized under the provisions of Section 5, Miscellaneous Federal Programs, of this Act.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

TRANSFER PROCEDURES. In the event that the Chief Fiscal Officer of the State determines that the General Assembly has not provided sufficient appropriation for the payment of Personal Services for a state agency, office, board, commission, institution or institution of higher education due to the enactment of this act or any other Act approved by the Eighty-Fourth ~~Fourth~~ Fifth General Assembly which raises the compensation level or required benefit matching costs of state employees, the agency, office, board, commission, institution of higher education or other institution may request a transfer from the appropriation provided herein from the Chief Fiscal Officer of the State. Such request shall clearly state the amount required, the fund or fund account from which the employees are currently being paid, and such other information as may be required by the Chief Fiscal Officer of the State that he deems necessary to make a decision regarding the request. Upon the approval of the Chief Fiscal Officer of the State, and upon review by the Performance Evaluation and Expenditure Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee or upon processing the request for elected Constitutional Officers and their employees by the Chief Fiscal Officer of the State, the State Auditor shall be notified as to the amount and the purposes for which said appropriation is to be made. The appropriation shall then be added to the proper account on the books of the Department of Finance and Administration and the State Auditor payable from the fund or fund account from which the employees of the state

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agency, office, board, commission, institution of higher education or other institution are authorized to be paid by law. Such appropriation transfers shall be limited to Regular Salaries or Personal Services Matching or both.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

FUNDING TRANSFER. Funding of compensation increases provided by the Eighty-Fourth Fifth General Assembly in the fiscal year ending June 30, ~~2005~~ 2007, and funding for the appropriation transfers authorized by Section 51 of this Act for those state agencies, offices, boards, commissions, institutions and state institutions of higher education which are supported in whole or in part from general revenues shall, if required, be provided for by a transfer from the Merit Adjustment Fund to the proper fund or fund account and in such amounts as may be determined by the Chief Fiscal Officer of the State and upon review by the Performance Evaluation and Expenditure Review Subcommittee of the Arkansas Legislative Council or Joint Budget Committee. The state agencies, offices, boards, commissions, institutions and state institutions of higher education shall, in addition to the funds provided in this section for Personal Services from the Merit Adjustment Fund, make available any funding generated from its salary savings for such purposes as provided for herein, from the funds or fund accounts as prescribed by law.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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COST OF LIVING INCREASE. Funds appropriated in Section 25, Merit Adjustment Fund, herein shall be used to provide additional funds as may be required for a cost of living increase for state employees and institutions of higher education of up to ~~2.7~~ 3.0% during the ~~2004-05~~ 2006-07 fiscal year.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

LEGISLATIVE FINDINGS AND INTENT. ENERGY MANAGEMENT INFORMATION SYSTEM. The State is initiating an Energy Management Information System in order to save the cost of energy consumed in state-owned facilities. Program participants will work to streamline the payment of utility bills and the collection of energy information, consolidate utility billing information, manage natural gas and electricity commodity procurement strategies, assist in negotiations with utility suppliers, assist with the development and execution of utility invoices and contracts, provide electric and gas market monitoring, identify and evaluate energy cost reduction measures, provide meter data analysis for load profiling and aggregation, and provide centralized utility information and billing services.

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EXECUTIVE RECOMMENDATION

APPROPRIATION TRANSFER PROCEDURES. In order that the Department of Finance and Administration - Disbursing Officer may ensure timely payment of utility services for various state agencies, appropriations and funds are authorized to be transferred from the state agency to the appropriation provided for Utility Payments in Section 34, Energy Management Information System, of this act. The participating agency will designate the appropriations and funds in which the transfers are to occur upon inclusion in the program.

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EXECUTIVE RECOMMENDATION

PUBLIC DEFENDER. The appropriation provided in Item (09) Public Defender Contract of Section 3, Miscellaneous Grants and Expenses herein shall be expended only for the purpose of contracting with the Public Defender of Pulaski County to provide defense for the mentally ill. The appropriations made for Interstate Planning Grants, Intrastate Metro Planning Grants and Planning and Development Grants in Section 3, Miscellaneous Grants and Expenses, are to provide state assistance grants to: (A) each Planning and Development District organized under Ark. Code 14-166-201 et seq., and recognized by the Governor and, (B) locally formed organizations organized under The Interlocal Cooperation Act (Ark. Code 25-20-101 et seq.), or other Acts which permit interstate cooperation among local governments and intrastate cooperation. Such grants are to be made in equal payments within each category of organization.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

~~DISBURSING PROCEDURES. A lump sum monthly installment of 1/12 of the annual funded appropriation for the Arkansas Children's Hospital, as provided for in Section 9 of this Act, shall be provided to the Arkansas Children's Hospital by the Disbursing Officer for use in partial payment of the total annual cost of operations.~~

~~————The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

Delete - See Special Language Sections 68, 70, 71 and 72

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CREDIT TO THE INDIGENT PATIENTS FUND. (b) All revenue derived from the pari-mutuel tax at the fifteen (15) additional days of racing authorized by subsection (a) of this section after monies have been remitted by the franchise holder to Mid-South Community College as may be provided by law, shall be deposited with the Treasurer of State as special revenue for credit to the Indigent Patients Fund, to be used to defray the cost of hospitalization and other medical services of indigent Arkansas patients in health care facilities by Mississippi County, Poinsett County, Cross County, St. Francis County and Lee County for which the county has not received total reimbursement. Each county shall certify to the Chief Fiscal Officer of the State the amount of the unreimbursed medical expenses under such procedures and such detail as required by the Department of Finance and Administration. The amount available to each county shall be no more than 1/5 of the total funds available or the amount certified of unreimbursed medical expenses, whichever is less.

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EXECUTIVE RECOMMENDATION

JUVENILE TRANSPORTATION. Funds appropriated for Transportation of Juveniles in Section 3, Miscellaneous Grants and Expenses, of this Act shall be used to provide grants/reimbursements to counties and cities for transportation of juvenile offenders to appropriate care or custody facilities or any other licensed juvenile facility approved by the court or as may be provided by law, in those counties which have juvenile detention facilities. Such grants/reimbursements for juvenile transportation costs shall be made in accordance with procedures and criteria developed and administered by the Office of Criminal Detention Facilities Review Coordinator.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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SHERIFFS ASSOCIATION. A lump sum monthly installment of at least one-twelfth (1/12) of the annual appropriation provided for in Section 14 of this Act, or so much thereof as may be made available, shall be provided to the Arkansas Sheriffs Association to be used exclusively for the establishment and operation of crime prevention and alcohol and drug abuse programs.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

DISTRIBUTION OF ADMINISTRATION OF JUSTICE FUNDS. In the event that the fund balance in the Administration of Justice Fund is inadequate to fund the monthly allocation to State Agencies, the funds will be distributed as follows:

All monthly allocations to State Agencies will be funded in the percentage of the total funds available in the Administration of Justice Fund; that is if less than 100% of the total monthly allocation is available for distribution, all monthly allocations to State Agencies will be funded at an equal percentage consistent with the available funds, provided that any of the allocations listed in Section 62 that have been fully pledged prior to January 1, 2001 to the repayment of a bond issue or bond issues shall not be reduced below the amount listed in Section 62. Any shortage from one month will be adjusted in future months' payments as funds become available.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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EXECUTIVE RECOMMENDATION

ALLOCATION RESTRICTIONS. There is hereby allocated to state programs and agencies, as set out herein, the following allocations of funds appropriated for State Agencies Distribution in Section 13, to the Department of Finance and Administration - Disbursing Officer, there to be used as provided by law.

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Item No.	Maximum Allocation Fiscal Years	
	<u>2003-2004</u>	<u>2004-2005</u> <u>2005-2006</u> <u>2006-2007</u>
(1) Board of Trustees of the University of Arkansas for the purpose and as regulated by Arkansas Code Annotated 6-64-604-606	\$ 2,687,619	\$ 2,687,619
(2) Public Health Fund for use in the Drug Abuse Prevention and Treatment Program of the Bureau of Alcohol and Drug Abuse Prevention	342,000	342,000
(3) Highway Safety Special Fund for programs of the Arkansas Highway Safety Program	1,324,795	1,324,795
(4) Department of Arkansas State Police for the State Police Retirement Fund	1,249,380	1,249,380
(5) Department of Arkansas State Police Fund	400,000	400,000
(6) Crime Victims/Reparations Revolving Fund for the purpose and as regulated by Arkansas		

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Code Annotated §16-90-701 et seq.	2,089,723	2,089,723
(7) Prosecutor Coordinator's Office for deposit in the Law Enforcement and Prosecutor Drug Enforcement Training Fund	70,660	70,660
(8) Fund from which the Code Revision Commission draws its support	113,996	113,996
(9) Crime Information System Fund	98,064	98,064
(10) Justice Building Construction Fund	990,000	990,000
(11) Municipal Court Judge and the Municipal Court Clerk Education Fund	50,000	50,000
(12) Arkansas Judicial Retirement System Fund	902,797	902,797
(13) State Central Services Fund for the benefit of the Public Defender Commission	6,908,027	6,908,027
(14) Court Reporter Fund	5,555,833	5,555,833
(15) Justice Building Fund	83,528	83,528
(16) Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Fund	386,138	386,138
(17) Auditor of State to fund Trial Court Administrative Assistants	4,537,370	4,537,370
(18) Drug Abuse Prevention and Treatment Fund for use in the Drug Abuse Prevention and Treatment program of the Bureau of Alcohol and Drug Abuse Prevention	312,000	312,000

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(19) State Central Services Fund for the Benefit of the Administrative Office of the Courts Div of Dependency-Neglect Representation	1,467,899	1,467,899
(19.1) State Central Services Fund for the Benefit of the Administrative Office of the Courts for an Education Specialist Position	31,388	31,388
(19.2) State Central Services Fund for the Benefit of the Administrative Office of the Courts Div of Dependency-Neglect Representation	2,816,939	2,816,939
(20) State General Services Fund for the benefit of the State Crime Laboratory	576,988	576,988
(21) District Judges Association for the District Court Coordinator	50,000	50,000
TOTAL AMOUNT ALLOCATED	\$32,995,144	\$32,995,144
	\$33,045,144	\$33,045,144

The provisions of this section shall be in effect only from July 1,
~~2003~~ 2005 through June 30, ~~2005~~ 2007.

Moved allocation from Section 89 to item (21)

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 63

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUNDING TRANSFER. On or before June 15 of each fiscal year, the Arkansas Fire and Police Pension Review Board shall certify to the Chief Fiscal Officer of the State the amount of funding it recommends for disbursement in the ensuing fiscal year to under-funded municipal fire and police relief and pension plans as defined in Arkansas Code 24-11-209. The Chief Fiscal Officer of the State shall then immediately transfer on his books and those of the State Treasurer amounts not to exceed the total amount recommended by the Board or the amount appropriated herein for the ensuing fiscal year, whichever is the lesser amount, from the Revenue Holding Fund Account to the Arkansas Fire and Police Pension Guarantee Fund for distribution to the recommended under-funded plans.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 64

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FUND RESTRICTIONS. Funds distributed to under-funded local pension programs through this appropriation shall not be used to enhance benefits of the recipients.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 65

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

WORKFORCE 2000 DISTRIBUTION. After the amount to be made available to a technical college, technical institute or comprehensive lifelong learning center has been determined, as provided by law, the Chief Fiscal Officer of the State shall process the documents necessary so that the funds may be transferred from the Work Force 2000 Development Fund to the State Treasury fund or fund account from which the technical college, technical institute, or comprehensive lifelong learning center draws its general revenue support.

The Chief Fiscal Officer of the State shall also cause an equal amount of the appropriation provided for Technical Colleges Accreditation and VoTech Accreditation in Section 26 of this Act to be transferred to the institutions' appropriate line item appropriation or allocation, there to be supplemental and in addition to those appropriations or allocations provided by the General Assembly for personal services and operating expenses of the institution from the State Treasury Fund or fund account. The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 66

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

FIRE PREVENTION COMMISSION. The balance of the funds and appropriation provided for Fire Prevention Commission in Section 3, Miscellaneous Grants and Expenses, herein which remain on June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 67

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

DISBURSING RESTRICTIONS. Before funds in this appropriation can be disbursed, the Arkansas Sports Hall of Fame must certify to the Chief Fiscal Officer of the State the procurement of three million five hundred thousand dollars (\$3,500,000) for the purpose of constructing the Arkansas Sports Hall of Fame facility.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 68

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORIZED. The Arkansas Children's Hospital may request the Chief Fiscal Officer of the State to transfer the sum of not to exceed \$1,000,000 each fiscal year from the ~~State General Services Miscellaneous Agencies~~ Fund Account from funds made available by this Act for the Intensive Care Nursery to the Department of Human Services Grants Fund Account. The transferred funds shall be used to match federal Medicaid funds for cost-based reimbursement for helicopter patient transport.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 69

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

JUVENILE DETENTION FACILITIES - ALLOCATION. There is hereby allocated to the local juvenile detention facilities, as set out herein, the following amounts as appropriated to the Department of Finance and Administration – Disbursing Officer for grants for operating expenses of local juvenile detention facilities for the biennial period ending June 30, ~~2005~~ 2007 :

AGENCY REQUEST

Item	Maximum Allocation	
No.	Fiscal Years	
	2003-04	2004-05
	<u>2005-06</u>	<u>2006-07</u>
(01) Arkansas County Juvenile Detention Center	\$ 28,400	\$28,400
	<u>29,998</u>	<u>29,998</u>
(02) Benton County Juvenile Detention Center	20,122	20,122
	<u>21,253</u>	<u>21,253</u>
(03) Craighead County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(04) Crittenden County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(05) Faulkner County Juvenile Detention Center	18,939	18,939
	<u>20,003</u>	<u>20,003</u>
(06) Garland County Juvenile Detention Center	26,037	26,037
	<u>27,502</u>	<u>27,502</u>

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 69

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(07) Independence County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(08) Jefferson County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(09) Miller County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(10) Mississippi County Juvenile Detention Center	15,390	15,390
	<u>16,256</u>	<u>16,256</u>
(11) Phillips County Juvenile Detention Center	14,207	14,207
	<u>15,006</u>	<u>15,006</u>
(12) Pulaski County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(13) Sebastian County Juvenile Detention Center	28,400	28,400
	<u>29,998</u>	<u>29,998</u>
(14) Tenth Judicial District Juvenile Detention Center	21,305	21,305
(15) Washington County Juvenile Detention Center	28,400	28,400
(14)	29,998	29,998
(16) Yell County Juvenile Detention Center	28,400	28,400
(15)	29,998	29,998
Total Amount Allocated	\$ 400,000	\$400,000

The amount of funds distributed to the local juvenile detention facilities shall be adjusted as necessary on a pro-rata basis depending upon the actual amount of funding provided for this purpose in each fiscal year.

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 70

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORIZED. The Arkansas Children's Hospital may request the Chief Fiscal Officer of the State to transfer the sum of not to exceed \$233,600 each fiscal year from the ~~State General Services-Miscellaneous Agencies~~ Fund Account from funds made available by this Act for the Intensive Care Nursery to the Department of Human Service Grants Fund Account. The transferred funds shall be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 71

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORIZED. The Arkansas Children's Hospital may request the Chief Fiscal Officer of the State to transfer the sum of not to exceed \$700,000 each fiscal year from the ~~State General Services-Miscellaneous Agencies~~ Fund Account from funds made available by this Act for the Children's Hospital Payments, Section 9, line (01) to the Department of Human Service Grants Fund Account. The transferred funds shall be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 72

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER AUTHORIZED. The Arkansas Children's Hospital may request the Chief Fiscal Officer of the State to transfer the sum of not to exceed \$200,000 each fiscal year from the ~~State General Services-Miscellaneous Agencies~~ Fund Account from funds made available by this Act for the Reproductive Health Monitoring, Section 9, line (03) to the Department of Human Service Grants Fund Account. The transferred funds shall be used to match federal funds used for supplemental Medicaid payments to Arkansas Children's Hospital.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 73

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

TRANSFER OF FUNDS FOR THE PROGRAM. The Department of Human Services may provide funding in an amount not to exceed \$300,000 for each fiscal year of the biennial period ending June 30, ~~2005~~ 2007 for expansion of services by the Child Abuse/Rape/Domestic Violence Section of the University of Arkansas – Medical Sciences. The Director of the Department of Human Services shall certify the amount of available funds for this purpose for each year of the biennial period ending June 30, ~~2005~~ 2007. The Chief Fiscal Officer of the State shall transfer the amount of certified funds available from an account designated by the Director of the Department of Human Services to the ~~State Central Services~~ Miscellaneous Agencies Fund as a direct revenue to expand services provided by the Child Abuse/Rape/Domestic Violence Section of the University of Arkansas – Medical Sciences.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2003~~ 2007.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 74

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~ADDITIONAL USES OF FUNDS. The funds appropriated by Act 886 of 2001 may also be used for the purchase or renovation of any structure or other expenses for the Sevier County Senior Citizens Center.~~

Delete – Special Language will be added to Capital Reappropriation Bill if there is an unexpended balance.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 89

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~DISBURSEMENT TO DISTRICT COURT COORDINATOR. The Department of Finance and Administration Disbursing officer shall disburse the funds appropriated for the District Court Coordinator to the District Judges Association, there to be administered by the Association.~~

Delete – added to allocations in Section 62

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 103

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~MATCHING REQUIREMENTS. The funds appropriated by this Act for the White Hall City Center in Jefferson County, Arkansas, shall be disbursed at the rate of one dollar for each dollar raised from other sources as certified by the appropriate official of White Hall, Jefferson County, Arkansas.~~

~~————The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.~~

Delete – Special Language will be added to Capital Reappropriation Bill if there is an unexpended balance.

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 109

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE~~
~~ARKANSAS CODE NOT PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND~~
~~TEMPORARY LAW. ARKANSAS 2025 COMMISSION.~~ (a) There is hereby
created the Arkadelphia 2025 Commission to be composed of the Mayor,
City Manager, and Chairman of the City Planning Commission of
Arkadelphia, the Superintendent of the Arkadelphia Public School District,
the member of the Arkansas House of Representatives representing the
Arkadelphia area, the member of the Arkansas Senate representing the
Arkadelphia area, the County Judge of Clark County, the Presidents of
Ouachita Baptist University and Henderson State University, the President
and Executive Secretary of the Arkadelphia Chamber of Commerce, and
at least an equal number of citizens of the Arkadelphia area to be
appointed by the members just named. The Commission shall be as
broadly based as possible to represent all the diverse interests and to
represent every race, gender, income level, and geographic area.
(b) The Commission shall have the following powers and duties:
 (1) Determine the immediate needs of Arkadelphia and its
surrounding area;
 (2) Determine the long-range needs and opportunities of the
Arkadelphia area;

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 109

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

(3) Seek and expend funds from all sources, both public and private;

(4) Coordinate the activities of the various federal, state, and local agencies as well as the private sector in providing for the economic, social, and physical needs of the area;

(5) To serve as the lead agency in the rebuilding and revitalization of the Arkadelphia area;

(6) Adopt bylaws and establish goals; and

(7) Perform all other powers and functions necessary to fulfill its duties.

(c) The Commission shall be subject to audit by the Division of Legislative Audit.

Commission created in the 2003-2005 biennium but was not codified due to statement inserted in special language in error.

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 110

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~Arkansas Code § 3-5-904 is amended to read as follows:~~

~~3-5-904. Eligibility.~~

~~(a) Only those wineries actively involved in the sale of wine as an Arkansas bonded winery for five years or have a federal license and are licensed by the State of Arkansas as of January 1, 2003 2005 shall be eligible to receive grants under the provisions of this subchapter.~~

~~(b) Only those wineries located in this state which use not less than seventy five percent (75%) of Arkansas grown and produced grapes, fruits, berries, or vegetables for producing wine shall be eligible to receive grants under the provisions of this subchapter.~~

~~(c) However, in any year in which there are losses in production of Arkansas grown grapes, fruits, berries, or vegetables used in the production of wine resulting from droughts, flood, tornadoes, extreme weather conditions, or other natural causes, the percentage of Arkansas grown and produced grapes, fruits, berries, or vegetables used in producing wine, as required in this subchapter, shall be reduced in the proportion of the losses in production of such products as determined and set forth in a disaster relief order issued by the Director of the Department of Finance and Administration prepared under the same procedures as set forth in §§ 3-5-405 and 3-5-801 3-5-807.~~

DELETE - CODIFIED

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 111

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~Arkansas Code § 3-5-907 is amended to read as follows:~~

~~3-5-907. Payments—Amount.~~

~~(a) Grant payments as authorized in this subchapter shall be made by the Director of the Department of Finance and Administration from moneys appropriated by the General Assembly for such purpose at each biennial session of the General Assembly.~~

~~(b) Grant funds awarded shall be distributed equally to each winery at a base amount not to exceed twenty five thousand dollars (\$25,000), with any remaining balance of the grant to be divided among each grantee according to the same ratio as the wine taxes paid in the previous calendar year by the grantee, as determined by the Chief Fiscal Officer of the State.~~

~~(c) Applications for grants shall be submitted to the Chief Fiscal Officer on or by the 15th of June.~~

DELETE - CODIFIED

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#: 50-1SS

SECTION#: 112

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

~~Arkansas Code § 3-5-908 is amended to read as follows:~~

~~3-5-908. Agricultural Marketing Grants Fund.~~

~~There is established on the books of the Treasurer of State, Auditor of State, and Chief Fiscal Officer of the State an Arkansas Agricultural Marketing Grants Fund, into which shall be paid such moneys as may be provided by law to be used exclusively for making payments of grants to eligible Arkansas wineries.~~

DELETE - CODIFIED

AGENCY REQUEST

2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

AGENCY: 0620 DFA – Disbursing Officer

ACT#:

SECTION#: NEW

CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)

EXECUTIVE RECOMMENDATION

SPECIAL LANGUAGE. STATE'S CONTRIBUTION'S. The Director of the Department of Finance and Administration is authorized to transfer Appropriation and Funding between State's Contributions line items authorized in Section . Any unexpended balances in appropriation and funds provided for State's Contributions in this Act remaining June 30, 2006, shall be carried forward during the fiscal year ending June 30, 2007.

AGENCY REQUEST